

# **Miami Dade County**

Stephen P. Clark Government Center  
111 N.W. 1st Street  
Miami, Fl. 33128



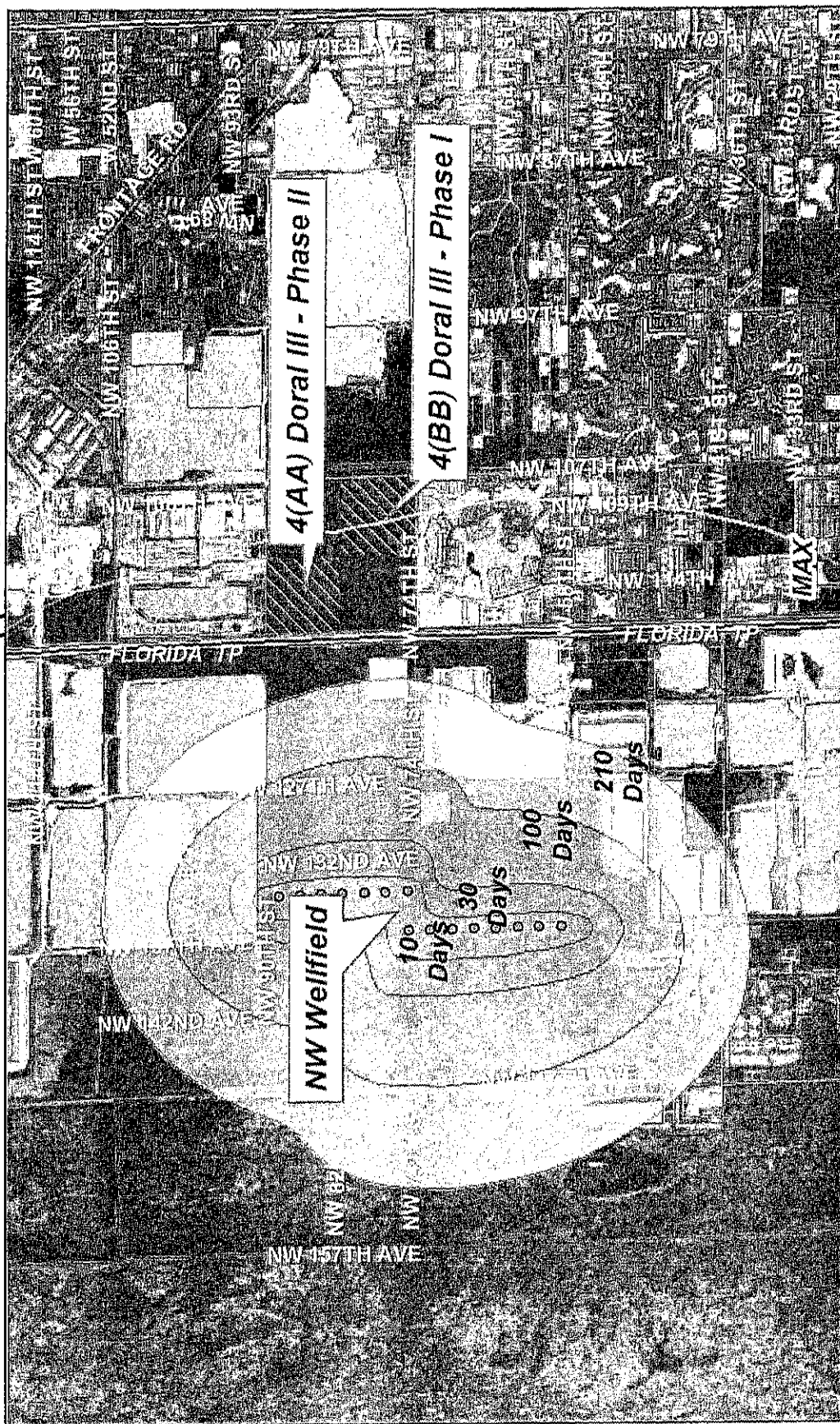
## **LEGISLATIVE ANALYSIS**

Tuesday, March 16<sup>th</sup>, 2004  
9:30 AM  
Commission Chambers

**Board of County Commissioners**

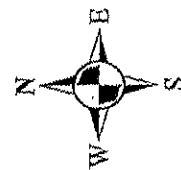
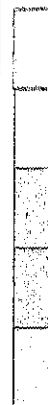
**NOTE:**  
**ADDITIONAL ITEMS WILL BE DISTRIBUTED BY 9:00am**  
**MONDAY MARCH 15<sup>TH</sup>, 2004**

BCC Items 4(AA), 4(BB), & 11(B)(3) Vicinity of NW Wellfield Protection Areas  
& Class IV Permit Applications  
March 16, 2004



NW Wellfield Protection Areas  
Travel Time (Existing Estimates)

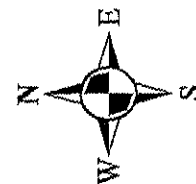
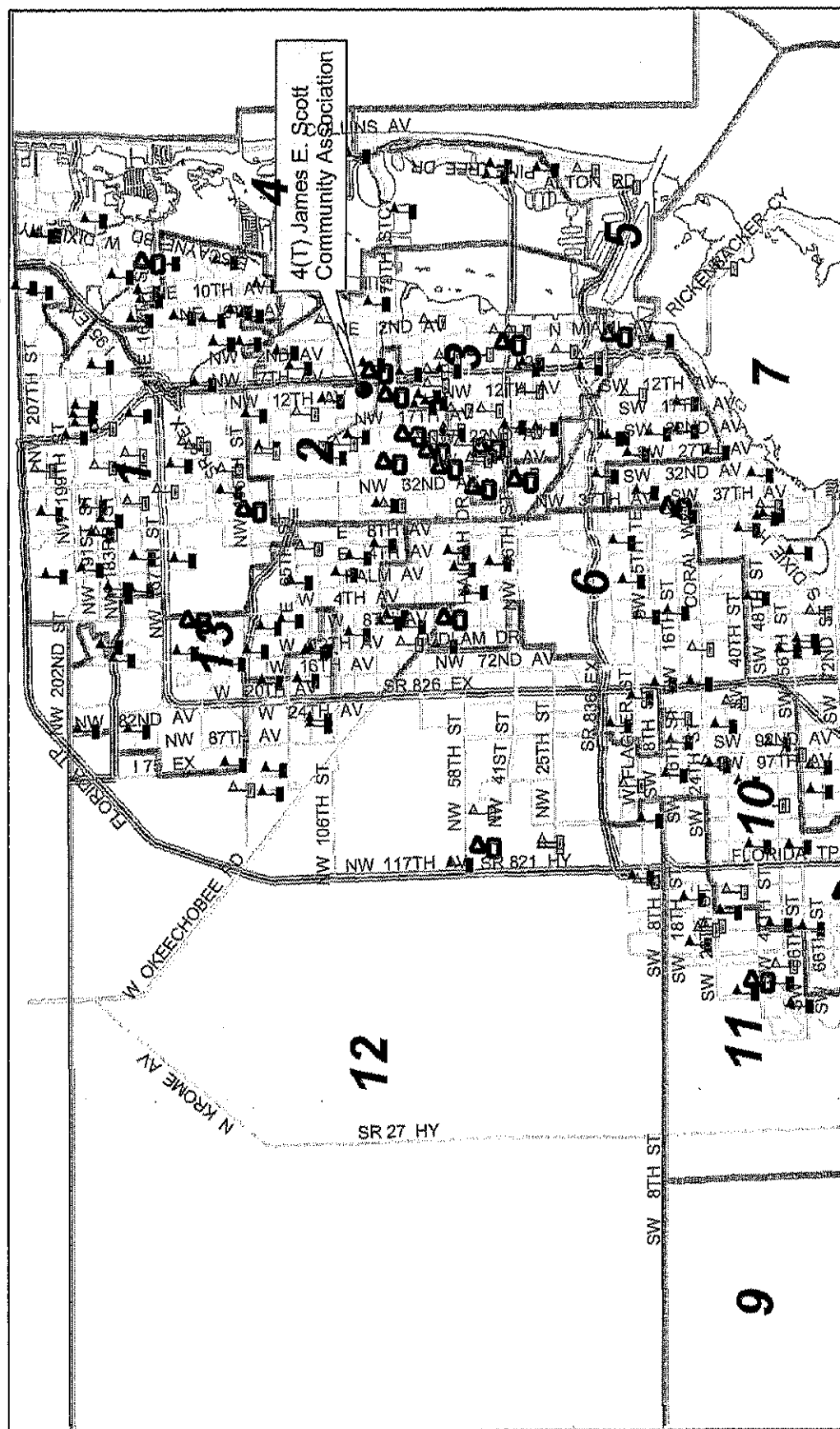
Water



Board of County Commissioners  
Office of Legislative Analysis

Source: NW Wellfield location, boundaries & labels per ITD GIS layers "lwpawell" and "pwpawell" dated 3/7/2004

# Plats for BCC Approval March 16, 2004 (Miami-Dade County--North of Sunset Drive)

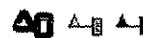


Percent Assigned Program Capacity (As of Oct 01)

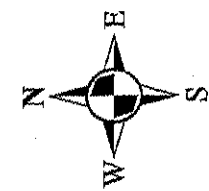
Under Capacity (Less than 90%)

At Capacity (90% - 110%)

Over Capacity (More than 110%)



Board of County Commissioners  
Office of Legislative Analysis



Under Capacity (Less than 90%)  
At Capacity (90% - 110%)  
Over Capacity (More than 110%)



Board of County Commissioners  
Office of Legislative Analysis

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION AUTHORIZING THE ERECTION, CONSTRUCTION AND OPERATION OF THE SOUTH MIAMI-DADE CULTURAL CENTER, LOCATED ON THE SOUTH SIDE OF SW 211TH STREET, ADJACENT TO SOUTH MIAMI-DADE GOVERNMENT CENTER, IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY*

### I. SUMMARY

This resolution authorizes the erection, construction and operation of the South Miami-Dade Cultural Center.

### II. PRESENT SITUATION

#### 1993:

Town hall meetings were convened by the Cultural Affairs Department to develop a needs assessment for a South Miami-Dade Cultural Center.

#### 1997:

The Board of County Commissioners approved a budget of \$18 million for the center to be secured from CDT and SNP proceeds.

#### 2000:

The project budget was supplemented with \$3 million in interest earnings. Also, the BCC allocated an additional \$10 million which brought the total project budget to \$34 million.

#### 2002:

The design development phase of the project was completed.

#### 2003:

Construction documents were substantially completed.

### III. POLICY CHANGE AND IMPLICATION

This resolution authorizes the erection, construction and operation of the South Miami-Dade Cultural Center. The facility will be located on 6.39 acres of land on SW 211 Street adjacent to the South Miami-Dade Government Center. It will be built in two phases. Phase I includes a 962 seat theater, a lobby containing a box office, restrooms, concessions and support spaces in the rear with dressing rooms, storage areas, administrative offices and other ancillary spaces. Phase II will consist of classrooms, rehearsal and smaller performance spaces. In addition to the two buildings, an outdoor

## **BCC ITEM 4(O)**

**March 16, 2004**

plaza will be placed next to the theater and an outdoor performance "green" will be located to the rear of the property adjacent to the Black Creek Canal.

### **IV. ECONOMIC IMPACT**

The total project budget is \$34,014,337.00 and will be funded from PAC Bond Revenue Series 1997, Interest Earnings, Safe Neighborhood Parks Bond Issue, and Future Bond Issues.

### **V. COMMENTS AND QUESTIONS**

Funding is in place for Phase I. Phase II funding will depend on securing additional dollars with one possible source being a General Obligation Bond.

This project currently has no private funding. However, the Department of Cultural Affairs is looking into getting in-kind contributions in the form of materials and will look into the feasibility of selling naming rights for the facility.

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION AUTHORIZING ISSUANCE OF MIAMI-DADE COUNTY, FLORIDA, AVIATION REVENUE BONDS, IN MULTIPLE SERIES, PURSUANT TO SECTIONS 210 AND 211 OF AMENDED AND RESTATED TRUST AGREEMENT DATED AS OF DECEMBER 15, 2002 BY AND AMONG MIAMI-DADE COUNTY, FLORIDA AND JPMORGAN CHASE BANK, AS TRUSTEE, AND WACHOVIA BANK, NATIONAL ASSOCIATION, AS CO-TRUSTEE, AND IN PART PURSUANT TO ORDINANCE NO. 95-38, ORDINANCE NO. 96-31 AND ORDINANCE NO. 97-207, IN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$400,000,000, FOR PURPOSES OF REFINANCING CERTAIN MIAMI-DADE COUNTY, FLORIDA AVIATION COMMERCIAL PAPER NOTES ISSUED TO FINANCE IMPROVEMENTS TO PORT AUTHORITY PROPERTIES, FINANCING CERTAIN ADDITIONAL IMPROVEMENTS TO PORT AUTHORITY PROPERTIES, REFUNDING AND REDEEMING DADE COUNTY, FLORIDA AVIATION REVENUE REFUNDING BONDS (SERIES Y), FUNDING RESERVE ACCOUNT, PAYING CERTAIN COSTS OF ISSUANCE OF BONDS, INCLUDING PREMIUM FOR MUNICIPAL BOND INSURANCE AND RESERVE FACILITY, IF ANY, AND PAYING CAPITALIZED INTEREST, IF ANY, ON BONDS; APPROVING ISSUANCE OF BONDS AFTER PUBLIC HEARING AS REQUIRED BY SECTION 147(F) OF INTERNAL REVENUE CODE OF 1986, AS AMENDED; PROVIDING FOR DETERMINATION OF TAX STATUS, NUMBER OF SERIES, MATURITIES, REDEMPTION PROVISIONS, PRINCIPAL AMOUNTS AND OTHER DETAILS OF BONDS BY FINANCE DIRECTOR WITHIN CERTAIN LIMITATIONS AND RESTRICTIONS; AUTHORIZING BOOK-ENTRY REGISTRATION SYSTEM; AUTHORIZING NEGOTIATED SALE AND AWARD BY FINANCE DIRECTOR TO UNDERWRITERS SET FORTH IN BOND PURCHASE AGREEMENT; APPROVING FORM AND EXECUTION OF BOND PURCHASE AGREEMENT; PROVIDING CERTAIN INSTRUCTIONS TO TRUSTEE AND CO-TRUSTEE IN CONNECTION WITH APPLICATION OF BOND PROCEEDS; AUTHORIZING FINANCE DIRECTOR TO NEGOTIATE AND OBTAIN BOND INSURANCE AND/OR RESERVE FACILITY; APPROVING FORM AND DISTRIBUTION OF PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT AND DELIVERY OF OFFICIAL STATEMENT; PROVIDING TAX COVENANTS; PROVIDING FOR CONTINUING DISCLOSURE COMMITMENT; APPROVING REFUNDING AND REDEMPTION OF SERIES Y BONDS; APPROVING FORM AND EXECUTION OF ESCROW DEPOSIT AGREEMENT; AUTHORIZING APPOINTMENT OF VERIFICATION AGENT; AUTHORIZING OFFICERS OF COUNTY TO TAKE ALL NECESSARY ACTIONS IN CONNECTION WITH SALE AND DELIVERY OF BONDS AND OTHER RELATED MATTERS; AND PROVIDING CERTAIN OTHER DETAILS WITH RESPECT TO BONDS*

Finance Department

**I. SUMMARY**

This resolution authorizes issuance of not to exceed \$400,000,000 of Miami-Dade County, Florida Aviation Revenue Bonds, Series 2004A ("Series 2004A Bonds") for the primary purposes of:



**BCC ITEM 4(P)****March 16, 2004**

- (1) Refinancing all or a substantial portion of the outstanding Miami-Dade County, Florida Aviation Commercial Paper Notes, Series A and B (approx. \$275 million) issued to fund the cost of the design and construction of certain Port Authority Projects;
- (2) Financing all or a portion of "Additional Projects" (see Exhibit A attached).
- (3) Refunding (paying off) and redeeming outstanding Dade County, Florida Aviation Revenue Refunding Bonds (Series Y), of which approx. \$31.9 million is currently outstanding
- (4) paying certain costs of issuance of the Series 2004A Bonds

This resolution also delegates to the Finance Director and/or officers of the County the authority to take several actions necessary in connection with this issuance, including finalizing the terms and details of the Bonds, negotiating and obtaining municipal bond insurance, and using, executing and delivering the Bond Purchase Agreement. In addition, this resolution approves the Preliminary Official Statement (not attached in the item – see handwritten page 35).

**II. PRESENT SITUATION**

The Port Authority Properties (defined as Miami International Airport, Opa-Locka Airport, Opa-Locka West Airport, Homestead Airport, Kendall-Tamiami Executive Airport, the Training and Transition Airport, and certain other projects to be financed under the Trust Agreement) capital improvement program is presently estimated at \$4.8 billion and includes an amount in excess of \$1.5 billion for the North Terminal expansion.

First Southwest Company and Fidelity Financial Services, L.C., financial advisors for the Aviation Department, has recommended to the County that a negotiated sale of the Series 2004A Bonds would be in the best interest of the County due to, among other reasons, the complexity and volatility of the credit markets and the airline industry's current overall financial condition.

**III. POLICY CHANGE AND IMPLICATION**

None.

**IV. ECONOMIC IMPACT**

The Series 2004A Bonds would be issued as fixed rate serial bonds, term bonds or capital appreciation bonds or a combination of the three with maturity dates not to exceed forty (40) years.

The principal of, interest on and redemption premium, if any, with respect to the Series 2004A Bonds and all other payments will be payable solely from Net Revenues from the Port Authority Properties. The payments will NOT constitute a debt of the County.

## BCC ITEM 4(P)

March 16, 2004

### V. COMMENTS AND QUESTIONS

Latest rating actions for MIA aviation revenue bonds:

March 5, 2004. *"Moody's assigns 'A1' rating to Miami-Dade' Airport Revenue Bonds with no outlook."*

- Definition: *"Issuers or issues rated A present above-average creditworthiness relative to other US municipal or tax-exempt issuers or issues....The modifier 1 indicates that the issuer or obligation ranks in the higher end of its generic rating category."* (Source: [www.moody.com](http://www.moody.com))

March 4, 2004. *"Standard & Poor's Ratings Services...assigned its 'A-' rating to Miami-Dade County Fla. Aviation department's \$400 million aviation revenue bonds, series 2004, issued for Miami International Airport. The outlook is stable."*

- Standard & Poor's noted that *"There still remains concern, however, that passenger levels could stall during the peak period of the airport's capital expenditures (2004-2007), putting increased pressure on the airlines that operate at Miami International....The stable outlook reflects Standard & Poor's expectation that the airport's market position will allow enplanements to recover, although in a somewhat constrained fashion....The outlook also assumes that American Airlines will not make material service reductions at the airport."*
- Definition: *"An obligation rated 'A' is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher-rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is strong....the minus sign [shows] relative standing within the major rating categories."* (Source: [www.standardandpoors.com](http://www.standardandpoors.com))

[Date not specified.] FitchRatings lists long term ratings for Miami International Airport aviation revenue (AMT) bonds series 2004A and (non-AMT) bonds series 2004B & 2004C as "A-."

- Definition: *"'A' national ratings denote a strong credit risk relative to other issuers or issues in the same country. However, changes in circumstances or economic conditions may affect the capacity for timely repayment of these financial commitments to a greater degree than for financial commitments denoted by a rated category."* (Source: [www.fitchratings.com](http://www.fitchratings.com))

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

**Item 7(A)(1)(B):** *RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING SECOND AMENDMENT TO REIMBURSABLE AGREEMENT NO. SO-0444-07X WITH THE FEDERAL AVIATION ADMINISTRATION BY INCREASING THE REIMBURSABLE AMOUNT THEREUNDER BY \$257,040; AURHORIZING COUNTY MANAGER OR DESIGNEE TO EXECUTE SUCH SECOND AMENDMENT*

**Item 7(A)(1)(C):** *RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING REIMBURSABLE AGREEMENT NO. SO-00533-07X WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE DESIGN, CONSTRUCTION, INSTALLATION, AND IMPLEMENTATION OF A FIBER OPTIC TRANSMISSION SYSTEM FOR NATIONAL AIRSPACE SYSTEM FACILITIES AT THE AIRPORT; AURHORIZING COUNTY MANAGER OR DESIGNEE TO EXECUTE SUCH AGREEMENT*

Aviation Department

### I. SUMMARY

These are proposals for agreements with the Federal Aviation Agency (FAA) that provide for the Aviation Department (MDAD) to reimburse the FAA for design, installation and implementation of fiber optic systems to replace metallic cabling systems at Miami International Airport (MIA). **Item 7(A)(1)(B)** is Amendment 2, adding \$257,040 to the existing reimbursement agreement for equipment and navigational aids for the new North runway (8/26). Both projects are part of MIA's Capital Improvement Program (CIP). **Item 7(A)(1)(C)** is a new project to provide fiber optics for airport surveillance radar, remote transmitter/receiver facility, and specified instrument landing systems for the three older MIA runways (9R/27L, 9L/27R, and 12/30) at an estimated cost of \$2.61 million.

### II. PRESENT SITUATION

The FAA has a requirement to "establish fiber optic transmission systems in lieu of metallic communication cabling systems at major airports. Currently, the FAA has not funded the Miami FOTS project" [Item 3(B), handwritten p. 17].

### III. POLICY CHANGE AND IMPLICATION

Per the FAA, installation of fiber optics will improve system reliability by preventing lightning strikes [Item 3(B), handwritten p. 17].

Use of fiber optics should benefit MIA by improving aviation safety and reducing disruptions caused by lightning-caused equipment outages.

**BCC ITES 7(A)(1)(B) & 7(A)(1)(C)**

**March 16, 2004**

**IV. ECONOMIC IMPACT**

**Item 7(A)(1)(B):**

Original agreement: \$272,471

Amendment Nr. 1: +\$194,166 (+71%) [Added new items to install fiber optics for runway 8/26]

Amendment Nr. 2: +\$257,040 (+55% over amended total in Amendment Nr. 1)

Amended Total: \$723,677 (MDAD)

**Item 7(A)(1)(C): \$2,610,000 (MDAD)**

**V. COMMENTS AND QUESTIONS**

It will be important to insure that any new systems be compatible with MIA's new runway numbering scheme as recently directed by the FAA.

The FAA's statement that "currently, the FAA has not funded the Miami FOTS project" [Item 7(A)(1)(C), handwritten p. 17] seems to leave open the possibility of future federal cost sharing for this project.

**March 16, 2004**

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION RATIFYING COUNTY MANAGER'S EXECUTION, PURSUANT TO THE PROVISIONS OF SECTION 2-285(6) OF MIAMI-DADE COUNTY'S CODE, OF JOINT PARTICIPATION AGREEMENT FINANCIAL PROJECT NUMBER 25411219401 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LIFE SAFETY IMPROVEMENTS ON CONCOURSE F AT MIAMI INTERNATIONAL AIRPORT*

Aviation Department

**I. SUMMARY**

This resolution would ratify the County Manager's execution of a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) to share the costs, on a 50/50 basis, of making life safety improvements at Concourse "F" of Miami International Airport (MIA).

**II. PRESENT SITUATION**

The proposed improvements are an integral portion of the overall life safety improvements planned in MIA's Capital Improvement Program (CIP).

**III. POLICY CHANGE AND IMPLICATION**

This project will extend MIA's existing fire protection sprinkler and fire alarm systems in order to provide a uniform protection throughout Concourse "F".

**IV. ECONOMIC IMPACT**

This project:

Estimated Cost: \$1,517,756

FDOT Cost Share: \$758,878

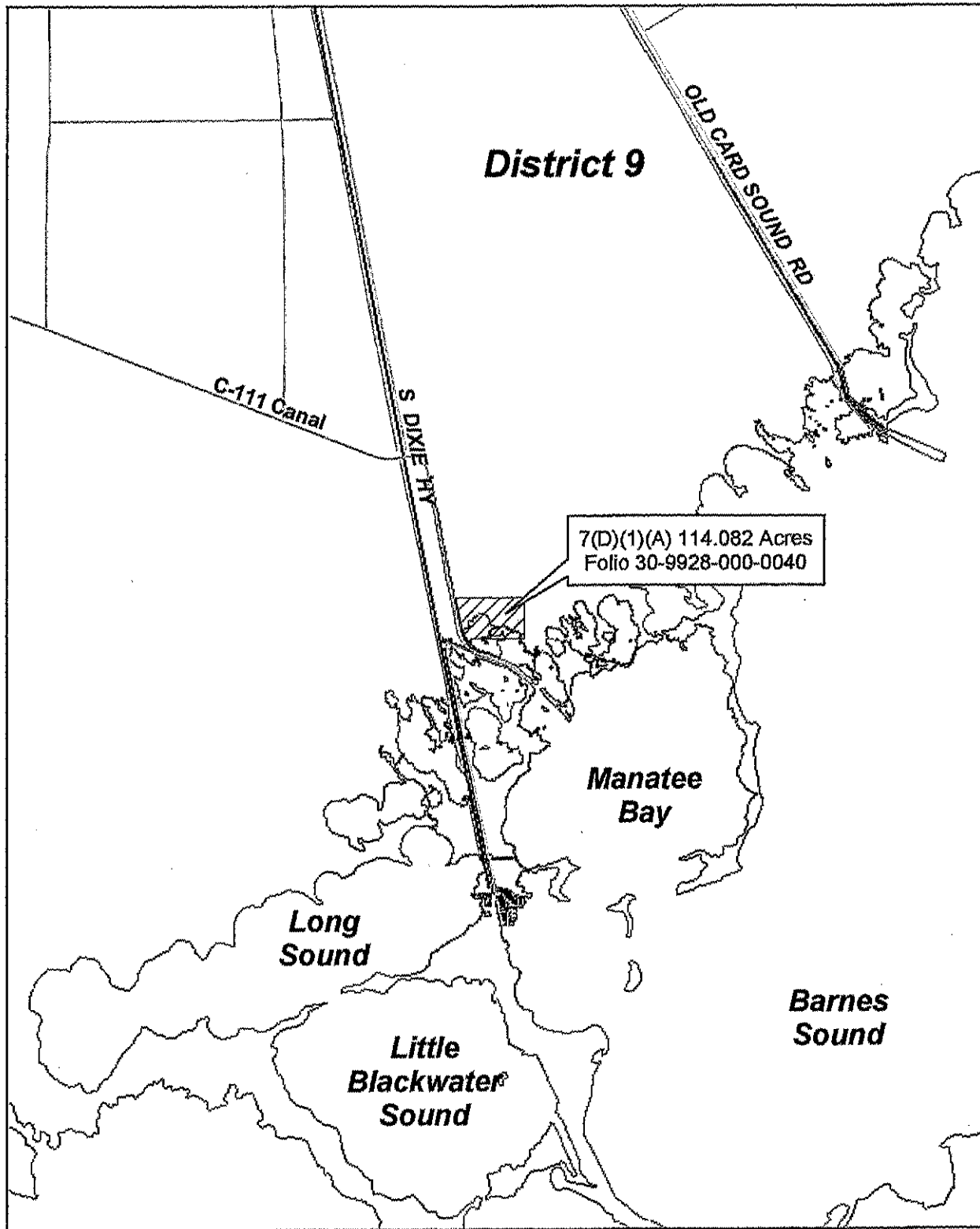
Local Match: \$758,878 + any cost overruns (MDAD Revenue)

Overall multi-phase life safety improvement program: \$8.62 million.

**V. COMMENTS AND QUESTIONS**

None.

## Proposed Environmentally Endangered Land Purchase



0 2 4 6 Miles



Board of County Commissioners  
Office of Legislative Analysis

March 16, 2004

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

### *RESOLUTION APPROVING THE FINANCE DEPARTMENT CREDIT AND COLLECTIONS SECTION PRODUCTIVITY AND REVENUE GENERATION PROGRAM AS OUTLINED IN THE ACCOMPANYING MEMORANDUM OF UNDERSTANDING*

Finance Department

#### I. SUMMARY

This resolution approves a Memorandum of Understanding (MOU) between Miami-Dade County and employees of the Finance Department's Credit and Collections Section. The MOU establishes guidelines for a gainsharing program that would award these employees when certain revenue targets are exceeded. The guidelines were developed based on standards of private sector collection operations.

An overview of the incentive structure is on handwritten page 14 of the item. In summary:

- Managers, Supervisors, Collectors, and Paralegal staff can receive a maximum individual annual bonus of \$4,800.
- Accounting Supervisors and System Analyst Programmers can receive a maximum individual annual bonus of \$3,600.
- Support staff can receive a maximum individual annual bonus of \$2,400.
- The monthly goal for Collectors is \$15,000 in revenues collected for the County, which generates approx. \$6,000 in fees for the Credit and Collections Section.<sup>1</sup>

#### II. PRESENT SITUATION

The Credit and Collections Section in the Finance Department provides collections services on debts owed to various County departments, including Jackson Memorial Hospital, Fire Rescue, Water and Sewer, Police Department, Solid Waste, Building Department, Aviation, Consumer Services and Park and Recreation.

In general terms, gainsharing is when productivity gains are shared with the workforce.<sup>2</sup> Gains are measured and distributions are frequently made through a predetermined formula. Because payments are only made when gains are achieved, gainsharing plans do not adversely affect operating costs.

The Office of Performance Management (now the Office of Strategic Business Management) surveyed private collection agencies to determine the guidelines for this program. The Efficiency and Competition Commission favorably endorsed the program at its October 31, 2003 meeting.

---

<sup>1</sup> The Credit and Collection's Section charges customers (County departments, etc.) fees of approx. 30% - 50% of the amount collected. The Section is fully-funded with these fees.

<sup>2</sup> See [www.hr-guide.com](http://www.hr-guide.com)

### **III. POLICY CHANGE AND IMPLICATION**

Because this would be the first collections gainsharing program in County departments, the results will be carefully monitored. If successful, this MOU could potentially serve as a model for other collection operations in County departments (such as in Team Metro).

### **IV. ECONOMIC IMPACT**

The maximum payout if every employee maximized their incentive every month would be \$105,600. The Finance Department indicates that this is unlikely because the higher goals (\$23,000 in revenues is needed to receive the maximum annual incentive) are not easily achieved.<sup>3</sup> Finance is an enterprise fund that is fully funded by the revenues it generates. The incentive dollars are already included in the expense budget for next year.

### **V. COMMENTS AND QUESTIONS**

Private and public sector practice indicates that providing financial incentives for exceeding revenue targets:

- promotes effectiveness and efficiency
- recognizes employee participation and commitment
- improves the likelihood of meeting targeted performance levels.

Particularly in the collection sector, financial incentives are common.

Non-monetary awards can also be considered as a way to promote organizational effectiveness and improve performance. A study of private sector awards found that employers spent less money on non-monetary awards than cash awards. However, the survey also reported about the same level of performance improvement with cash and non-monetary awards and that the awards held approx. the same perceived value.<sup>4</sup> Some examples of non-monetary awards include gift certificates, savings bonds, plaques, briefcases, lapel pins, medals in presentation cases, etc.

---

<sup>3</sup> According to statistics provided by the Credit and Collections Section for January 2004, 5 of 13 (approx. 35%) of collectors collected revenues of \$15,000 or more.

<sup>4</sup> United State's Office of Personnel Management – Workforce Performance Newsletter (June 1995)



**March 16, 2004**

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT AT 17611, 17621, 17631, 17641 & 17651 N.W. 78TH AVENUE, PALM SPRINGS NORTH WITH ADELL INVESTMENTS, INC., A FLORIDA CORPORATION, FOR PREMISES TO BE UTILIZED BY MIAMI-DADE COUNTY FOR A MINI-LIBRARY; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN*

**I. SUMMARY**

This resolution approves a lease agreement at 17611 to 17651 N.W. 78 Avenue, Palm Springs North, with Adell Investments, Inc., for the Miami-Dade Public Library System.

**II. PRESENT SITUATION**

Presently, the Miami-Dade Public Library System is involved in an expansion program that calls for the construction and operation of ten neighborhood libraries to be built over the next thirteen years. In addition, funding was approved for the opening and operating of eight mini-libraries, in leased facilities, over the next four years. This plan also includes major renovations to existing facilities.

**III. POLICY CHANGE AND IMPLICATION**

None.

**IV. ECONOMIC IMPACT**

The lease agreement is for five years with two additional two-year renewal option periods. Annual rent is \$66,500.04 (\$19.00 per square foot). The base rent for the fourth and fifth years shall increase to \$68,495.04 (\$19.57 per square foot). The base rent for the renewal periods will be adjusted by three percent each period. The County is responsible for electricity, HVAC maintenance, janitorial, custodial and exterminating services. In addition, the County will pay \$3.00 per square foot as its contribution toward common area maintenance (CAM), real estate taxes and insurance. In the fourth year of the initial term the CAM shall be adjusted and the County is responsible for its share of the difference in expenses over the base year 2004. Funding for this lease agreement has been budgeted and will come out of the Library Taxing District Fund.

**V. COMMENTS AND QUESTIONS**

See attached for information on the Library Capital Improvement Plan.

**Capital Plan Building Schedule**  
**Construction of New Branch Libraries**  
1/15/04

Proposed Location	Commission District	Startup A/E & Design Land Acq. Fiscal Year	Begin Construction Estimated Fiscal Year	Complete Construction Estimated Fiscal Year
DISTRICT 2 (7,500 s/f #2) NE	2	FY 2002-03	FY 2003-04	FY 2004-05
NARANJA	9	FY 2003-04	FY 2004-05	FY 2005-06
KENDALE LAKES	11	FY 2003-04	FY 2004-05	FY 2005-06
*DISTRICT 12 - INT'L MALL (7,500s/f)	12	FY 2003-04	FY 2004-05	FY 2005-06
COUNTRY WALK	9	FY 2003-04	FY 2004-05	FY 2005-06
DISTRICT 2 (7500 s/f) NW	2	FY 2004-05	FY 2005-06	FY 2006-07
DISTRICT 12-DORAL (7,500 s/f)	12	FY 2004-05	FY 2005-06	FY 2006-07
** PINECREST	7	Interlocal	Agreement	
HIALEAH GARDENS	12	FY 2006-07	FY 2007-08	FY 2008-09
KILLIAN	8 or 10	FY 2007-08	FY 2008-09	FY 2009-10

**Mini Libraries**  
**(Leased Facilities)**

Proposed Location	Commission District	Fiscal Year	Complete Begin Operations
Naranja ( <b>Opened</b> )	8	FY 2002-03	May-03
Lakes of the Meadow ( <b>Opened</b> )	11	FY 2002-03	Aug.-03
Concord	10	FY 2003-04	May-04
Palm Springs North	13	FY 2003-04	Sept.-04
Palmetto Bay	8	FY 2004-05	Nov.-04
California Club	1	FY 2004-05	Jan.-05
***West Grove-Virrick Park	7	FY 2004-05	July-05
Kendall/Sunset	10	FY 2005-06	Dec.-05

\* Awaiting Deed Transfer From International Mall developers--Expected Summer 2004

\*\* Awaiting Interlocal Agreement with Village of Pinecrest.

\*\*\* Awaiting BCC Approval of Interlocal Agreement with City of Miami expected in Spring, 2004 and completion of construction by the City in late Spring, 2005.

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION AMENDING INSTALLMENT SALES AGREEMENT BETWEEN COUNTY AND BAC FUNDING CORPORATION WITH RESPECT TO CONSTRUCTION AND PURCHASE OF NEW OFFICE BUILDING AND RELATED PARKING GARAGE RENOVATIONS AT THE MLK METRORAIL STATION TO PROVIDE FOR EARLIER PAYMENT BY COUNTY AND OTHER TECHNICAL REVISIONS; AND COUNTY MANAGER IS AUTHORIZED TO EXECUTE AND DELIVER AMENDMENT*

General Services Administration Department

### I. SUMMARY

This resolution seeks approval to amend the Installment Sales Agreement between Miami-Dade County and the Business Assistance Center Funding Corporation (BAC).

The agreement outlines the responsibilities of the County and BAC with regards to the construction and operations of the Martin Luther King (MLK) Office Building located at the MLK Metrorail Station.

### II. PRESENT SITUATION

The current agreement provides that the County is not responsible to provide Debt Service, Differential Payments, or Operating Costs to BAC until BAC obtains a Certificate of Occupancy (CO).

However, a CO cannot be obtained until the build out on each individual floor within the building is completed. The build out, however, is the responsibility of the County.

### III. POLICY CHANGE AND IMPLICATION

The County and BAC are seeking to amend the original agreement to provide for payments to BAC prior to the issuance of the Certificate of Occupancy.

### IV. ECONOMIC IMPACT

The estimated payments from the County to BAC are \$243,667 per month. The build out is expected to take approximately four (4) months for an estimated total payment to BAC \$974,000 prior to the issuance of the CO.

### V. COMMENTS AND QUESTIONS

None

March 16, 2004

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION BY THE GOVERNING BOARD OF MIAMIDADE COUNTY, FLORIDA  
RECOMMENDING THAT HOME DEPOT USA, INC. D/B/A HOME DEPOT-  
HIALEAH BE APPROVED AS A QUALIFIED APPLICANT PURSUANT TO SECTION  
288.107, FLORIDA STATUTES; REQUESTING A WAIVER OF LOCAL FINANCIAL  
SUPPORT; AND PROVIDING AN EFFECTIVE DATE*

Office of Community and Economic Development

### I. SUMMARY

These resolutions support approval for Home Depot USA, Inc., d/b/a/ Home Depot-Hialeah, WKL II and Associates d/b/a/ Denny's, and Publix Super Markets, Inc request to the State of Florida for Brownfield Redevelopment Bonus Refund with Miami-Dade County Opting out of the Local Match Requirement.

### II. PRESENT SITUATION

The BCC has designated the development areas as qualifying Brownfields.

### III. POLICY CHANGE AND IMPLICATION

The State of Florida for Brownfield Redevelopment Bonus Refund of up to \$2,500 per new job created, 80% payable by the State 20% by the County. The State allows Local Governments to OPT out which is what the County Manager is recommending to the BCC.

By opting out of the local match requirement, total financial responsibility will be on the State of Florida.

### IV. ECONOMIC IMPACT

Item	Project	Capital Investment	Jobs Created
7K1A	Home Depot	\$60,000,000	100 FTE
7K1B	Denny's	\$2,100,000	45 FTE
7K1D	Publix	\$3,460,033	100 FTE

### V. COMMENTS AND QUESTIONS

- Miami-Dade County will have \$0 reduction in ad valorem taxes if this resolution is passed
- The Office of Community and Economic Development will be the agency charged with assuring job creation.

March 16, 2004

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

***RESOLUTION APPROVING FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT AMONG COUNTY, CITY OF SOUTH MIAMI AND SOUTH MIAMI COMMUNITY REDEVELOPMENT AGENCY TO INCREASE ADMINISTRATIVE CAP ON EXPENSES TO TWENTY PERCENT; AND AUTHORIZING COUNTY MANAGER TO EXECUTE AND DELIVER SAID AMENDMENT***

Office of Community and Economic Development

**I. SUMMARY**

The City of South Miami Community Redevelopment Agency is requesting an amendment to increase its administrative cap from 10% to 20% which would be in line with the other CRAs in the County. The CRA's 2003-2004 approved budget has administrative expenses at 7%.

**II. PRESENT SITUATION**

The City of South Miami Community Redevelopment Agency's 2003-2004 approved budget has administrative expenses at 7%.

**III. POLICY CHANGE AND IMPLICATION**

This will bring the City of South Miami's CRA in line with other CRAs throughout the County.

Community Redevelopment Agency	Budgeted Administrative Expenses	Administrative Expenses Cap
City of South Miami	7	10
Florida City	7	20
Homestead	18	20
Naranja Lakes	18	20
Miami Beach-City Center	2	20
Miami Beach-South Pointe	2	20

**IV. ECONOMIC IMPACT**

No fiscal impact to the County, possible reduced services to the Area as a result of increased administrative cost.

**V. COMMENTS AND QUESTIONS**

None

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO ALLOCATE \$1,000,000 FROM SURTAX INCENTIVE POOL FUNDS TO ENTERPRISE COMMUNITY DEVELOPMENT CORPORATION/RIVER RUN SOUTH APARTMENTS, INC. FOR THE RIVER RUN SOUTH APARTMENTS; AND EXECUTE ANY NECESSARY AGREEMENTS*

Miami-Dade Housing Agency

### I. SUMMARY

In 2002 the Board of County Commissioners awarded \$1,000,000 in State Housing Initiatives Program (SHIP) funds for the River Run South Apartments project. At the time 174 one and two-bedroom rental units were to be built. The Developer has modified the project scope and will make fifty five (55) units available for affordable housing. The change in scope has also increased the project cost by \$1,200,000 to \$10,495,290. This resolution will provide \$1,000,000 of Surtax Incentive Pool funds and the balance to be added to the amount financed by Washington Mutual.

### II. PRESENT SITUATION

The project has a \$1,200,000 funding shortfall.

### III. POLICY CHANGE AND IMPLICATION

N/A

### IV. ECONOMIC IMPACT

This resolution will allocate \$1,000,000 of Surtax Incentive Pool funds.

### V. COMMENTS AND QUESTIONS

Why are we increasing the County's contribution while at the number of affordable housing units is only 55 and the sales price has been increased?

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT THREE TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND FORBES ARCHITECTS, INC. FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES ASSOCIATED WITH THE CRANDON PARK GOLF COURSE CLUBHOUSE PROJECT A00-PARK-03 TO PROVIDE FOR AN INCREASE TO THE BASIC SERVICES FEE AND THE ADDITIONAL/REIMBURSABLE FEES AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE SAME*

### I. SUMMARY

This resolution authorizes execution of amendment three to the professional services agreement between Miami-Dade County and Forbes Architects, Inc. for design and construction administration services associated with the Crandon Park Golf Course Clubhouse Project.

### II. PRESENT SITUATION

At the present time, there have been two modifications to this agreement with Forbes Architects Inc.

#### Amendment One:

Increased the Basic Services Fee by \$39,500 (9% increase) for additional design services.

#### Amendment Two:

Increased the Basic Services Fee by \$25,000 (6% increase) for additional on-site construction administration services.

### III. POLICY CHANGE AND IMPLICATION

In order to adhere to the Crandon Master Plan, the new Crandon Park Golf Course Clubhouse has to be built over the existing building. The existing building was built on pilings that were not recorded and therefore, a significant amount of retrofit work was required. In addition, to ensure compliance with new and existing codes, a secondary means of egress was required from the basement, additional fire sprinkler systems in the veranda as well as additional emergency lights. In order to make these modifications, there will be an increase in the total professional services agreement fee of \$50,000 (10%) from \$494,500 to \$544,500.

### IV. ECONOMIC IMPACT

This resolution will increase the Basic Services Fee by \$45,000 and the additional / reimbursable fee by \$5,000 bringing this professional services agreement contract to \$544,500.

**BCC ITEM 7(M)(1)(A)**

**March 16, 2004**

**V. COMMENTS AND QUESTIONS**

There should not be any change orders associated with this project as there is enough money in the contingency fund to make the changes that are outlined in the item.



**March 16, 2004**

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION AUTHORIZING EXECUTION OF A MODIFICATION TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CORRADINO GROUP, INC., TO PROVIDE FOR AN INCREASE TO THE ADDITIONAL / REIMBURSABLE SERVICES FEE FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES ASSOCIATED WITH AMELIA EARHART PARK SOCCER AND SOFTBALL COMPLEX, BUILDING AND UTILITIES PROJECT A98-PARK-04, AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE SAME*

**I. SUMMARY**

This resolution authorizes the execution of a modification to the professional services agreement between Miami-Dade County and the Corradino Group, Inc. to provide for an increase to the additional / reimbursable services fee for design and construction administrative services associated with Amelia Earhart Park Soccer and Softball Complex.

**II. PRESENT SITUATION**

At the present time, there has been one amendment to the professional services agreement with The Corradino Group, Inc.

Amendment Number One:

\$ 313,616.00 – Amended Basic Fee

\$ 390,755.00 - Amended Add./Reimbursable Services

\$ 704,371.00 – Amended Total (41% increase)

This amendment increased the fees for basic services by \$86,309 for finalizing the development of Phase II for the Softball Complex and increased the Additional Reimbursable Services by \$118,955 for regulatory inspections and full-time construction administration services.

**III. POLICY CHANGE AND IMPLICATION**

This resolution modifies the scope of work for Phase II of the Amelia Earhart Park Soccer and Softball Complex Project from a softball complex to a soccer complex. The Parks Department feels that this is necessary in response to the community's shifting needs and interests. Modified Phase II will include the construction of three (3) additional lighted and irrigated soccer fields, and a fourth soccer field presented as an additive alternate; two (2) restroom /storage building facilities; landscape; and walkways. Because of the revised scope of work, there is a need to increase the Additional / Reimbursable Services Fee by \$133,398.00 (19%) for the additional design services associated with providing construction documents and the administration of the

**BCC ITEM 7(M)(1)(B)**

**March 16, 2004**

construction contract for the revised scope of work bringing the professional services agreement with The Corradino Group, Inc. to \$837,769.00.

**IV. ECONOMIC IMPACT**

This resolution will increase the additional / reimbursable fee by \$133,398.00 (19%) bringing the contract to \$837,769.00. The basic services amount remains unchanged at \$313,616.00.

**V. COMMENTS AND QUESTIONS**

Phase I is in the final stages of construction.

Phase II should have completed construction documents by January 20, 2005.

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ADVERTISE A REQUEST FOR PROPOSALS FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN LED MODULES AND INCANDESCENT LAMPS AS REQUIRED FOR THE TRAFFIC SIGNAL RETROFIT PROJECT, TO EXERCISE ANY CANCELLATION AND RE-ADVERTISEMENT PROVISIONS AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN RFP NO. 367

Public Works Department

### I. SUMMARY

The resolution requests Board approval to advertise a Request for Proposal (RFP) No. 367, for the purpose of procuring a contract to obtain proposals from qualified firms to administer an LED Traffic Signal Module Retrofit Project. The project will address the timely conversion of Miami-Dade County's 12" standard traffic signal heads. It is expected that this project should reduce the monthly electric costs for traffic signalization by 90%.

The County currently pays approximately \$1.75 million annually for traffic control equipment power consumption. Of that, about \$1.5 million is spent to power 12" traffic signal heads. Converting to 12" LED signal modules could eliminate about \$1.4 million of that expense.

### II. PRESENT SITUATION

According to staff, there are between twenty and sixty companies enrolled as Miami Dade County vendors that will receive the advertisement notice for this solicitation based on the commodities that they have registered in the DPM e-procurement system. Some are located in Miami-Dade County. An Industry Day was held on 12/17/03 to review the draft specifications with interested vendors. Fifteen vendors were present at the meeting. The best way to determine which of these companies can provide the services outlined in the Scope of Work in the RFP is at the time of the Selection Committee's review of their proposals.

Public Works Department has extensively researched its requirements and has detailed them in the scope of work. Information was obtained from the marketplace as well as other municipalities that went through LED conversion.

Moreover, there has been no formal pilot program in the County; however, numerous LED modules have been informally evaluated over the past eleven (11) years. During the past two (2) years Public Works Department has been performing extensive testing on certain types of LED modules.

Several U.S. cities and businesses have implemented LED Traffic Signal projects: Dallas Children's Hospital; Penske United Auto BMW North Scottsdale; Phoenix

International Raceway; Washington Post Newspaper; Visrazzano Bridge, New York; Denver; Arizona; Colorado; Philadelphia; Pennsylvania; and California

### III. POLICY CHANGE AND IMPLICATION

According to staff, the City of Homestead will be the first locale with LED modules. This first installation will enable Public Works Department to accurately measure the power consumption reduction and fine-tune formulas for calculating the wattage savings elsewhere in the County where meters are not installed. The County anticipates that installation will continue in several places throughout the County simultaneously. All locations should be converted in about a year from when the contractors start. The successful proposal will negotiate a contract with the County, hire a number of contractors (installers), buy the LED modules, and assign the contractors to designated areas.

Staff indicates that for this RFP installation is expected to take 487 days (or 16 months). After acceptance by the County, the contractor has to provide a minimum 5yr. long-term warranty. Should there be failure greater than 15%, the units must be replaced at the contractor's expense and the 5-yr warranty period begins again from the start. (In other words, the vendor must provide a product that works five years in a row.)

### IV. ECONOMIC IMPACT

According to staff, no final decision has been made regarding the project funding source. One option is to have the selected contractor secure funding for the project and afterward be paid after four months of implementation from the resulting electrical savings. OSBM is also considering several County-funding options.

Cost estimates for this project have ranged from \$4 M without yellow lights, and up to \$7.5 M with the yellow lights. **This is not a guaranteed \$5 million contract.**

### V. COMMENTS AND QUESTIONS

Staff replied to additional questions:

**Please indicate if there are any minority goals?**

The Department of Business Development Review Committee of November 5, 2003 recommended no measures for this RFP due to lack of availability.

**Is this RFP being modeled after other counties?**

This RFP was developed to reflect the unique requirements of the Public Works Department of Miami-Dade County.

**1. What are the projected savings?**

Savings are expected to be \$1.4 M / yr.

**2. Are there more than one type of LED System Installations?**

There are a few options, but we've oriented our RFP toward the most common type of LED modules that are being installed throughout the country.

**3. How is this comparable with other jurisdiction that are going through the same project?**

The physical effort of the switch-out on a location-by-location basis is basically the same in all jurisdictions. Some jurisdictions elect to just replace the reds (fastest payback), some do the reds and greens, and others do the reds, greens, and yellows (slowest payback). Most jurisdictions have a much smaller transition effort than MDC due to our size. Many perform the effort in-house, although many use contractors. I'm not familiar with any that have called for the contractor to fund the project as we are considering, although I believe it has been done this way in a few jurisdictions.

**Previously-prepared project outline:**

**A. Advantages of the LED Conversion Project:**

1. Reduce annual traffic signal power bills from ~\$1.65M to ~\$0.25M.
2. Reduce maintenance trips to intersections to temporarily block lanes of traffic to replace burned out bulbs.
3. Reduced pollutants caused by excessive energy generation.
4. Reduced heat generation by incandescent bulbs.

**B. Disadvantage of LED Conversion Project:**

1. Capital Investment of \$4M to \$7.5M.

**C. Payback:**

1. Red LED modules pay for themselves in about one (1) year.
2. Green LED modules pay for themselves in about three (3) years.
3. Yellow LED modules pay for themselves in about twelve (12) years.

**D. Material Options:**

1. The Base Option is envisioned to only call for the replacement of reds and greens due to their expeditious payback schedule.
2. Material Option A adds in the replacement of yellows for the sake of hardware uniformity even though that will lengthen the total payback schedule.
3. Material Option B includes pay items for the removal of extra signal heads at intersections that have more heads than warranted.

**E. Funding Options:**

1. The selected consultant may be expected to fund the entire project and then be paid back by MDC during the following five (5) years from funds previously budgeted for paying for the electricity consumption.
2. The County may elect to instead pay the consultant as the work is performed and then reap the full benefits of the reduced electric bills.

**F. Scope of Work for the Selected LED Traffic Signal Head Conversion Consultant**

1. Finalize the selection of the LED modules to be used on the project with approval of MDPW.
2. Order the modules from the vendor(s).
3. Hire multiple contractors to install the modules with approval of MDPW.
4. Develop a Work Plan with approval of MDPW.
5. Take delivery of the LED modules, manage the inventory, distribute it to contractors, etc.
6. In coordination with the County Project Manager, perform all Construction-Engineering-Inspection (CEI) activities including:
  - a. documentation of work progress;
  - b. documentation of energy savings;
  - c. documentation of vendor warranty start and stop dates;
  - d. document the maintenance responsibilities of the parties during the construction phase and warranty period;

- e. document the financing aspects of the project.

**G. Time Schedule:**

1. Tasks 1 - 4 above should be completed within three (3) months of the issuance of the Notice to Proceed (NTP).
2. Tasks 5 - 6 above should be completed within one year of the completion of Tasks 1 - 4.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH NORTHWESTERN TRAVEL MANAGEMENT, TO OBTAIN TRAVEL MANAGEMENT SERVICES, AUTHORIZING THE COUNTY MANAGER TO EXECUTE AN AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT NO. 377*

TRAVEL AWARD REPORT

Procurement Management Department (DPM)

I. SUMMARY

This resolution authorizes award of RFP No. 377 *Travel Management Services* to Northwestern Travel Management (NTM). NTM will provide services of a full-service travel agency, as well as provide an on-line web interface for employees to book their own travel. The contract period is three (3) years with two (2) one (1) year options to renew. There were no contract measures established for this RFP due to lack of availability.

*While this contract is within the County Manager's authority to award without the Board of County Commissioners' (BCC) approval, it is being brought back pursuant to BCC request at the time of advertisement of this RFP.<sup>1</sup>*

II. PRESENT SITUATION

The County's current travel services contract with Business Travel Advisors, Inc. (BTA) ended on Nov. 15, 2003, but was extended for three (3) months until this new contract is established. The current contract basically required BTA to do itineraries, billing, and customer service.

This RFP yielded seven proposals. The current contract did not require an on-line web interface for County staff to book their own travel, as this RFP does. NTM indicates that the on-line system it utilizes (Worldspan's Trip Manager) scans **all** available airline (except for Southwest Airlines) and internet-only databases, including Travelocity and Expedia, for available rates.<sup>2</sup>

The RFP stated that *proposals will be evaluated both on technological aspects of their product as well as the cost implications of their transaction fees and set-up cost*. NTM was first ranked overall and had a technical score of 312 points out of a possible 350 (42 points more than the second ranked proposer). BTA, the incumbent, was fourth ranked with a technical score of 225 and fifth ranked overall. NTM's price proposal was originally the highest of all the proposals, but it was reduced by nearly half after negotiations with the County, making it comparable to the lower price proposals which did not have the technical qualifications of NTM.<sup>3</sup>

<sup>1</sup> Administrative Order 3-38 authorizes the County Manager to award contracts valued at \$1,000,000 or less.

<sup>2</sup> Booking on Southwest Airlines is available only on its website or through a travel agency.

<sup>3</sup> According to the Office of Strategic Business Management (OSBM), the reduction in the price proposal was accomplished by unbundling certain non-essential services (making some "optional services" a pay per use).



**BCC ITEM 7(O)(1)(E) and Supplement**  
**March 16, 2004**

On Sept. 15, 2003, after NTM was recommended for award by DPM, a bid protest was filed by BTA to (1) reject the proposals of the first, third, fourth and six ranked (NTM, American Express One, Lorraine Travel and Miami World Travel, respectively) due to alleged non-responsiveness and (2) to reevaluate the bids that remain. Specific arguments were made as to the top-ranked bids in the technical and price categories:

- The County's decision to award the contract was arbitrary and capricious, constituting favoritism, providing an unfair advantage to NTM. Specifically, they allege that (page 18 of bid protest):
  - NTM included pricing information in the technical portion of the proposal, in alleged violation of the RFP.
  - The RFP provides that proposals may be withdrawn prior to the due date [of May 9, 2003] or after 180 days. NTM expressed that the expiration date of the proposal is not effective after 8/7/03.
- The top-rated price proposal (Lorraine), which served as a benchmark for all other price proposals did not include all items outlined in the RFP. Specifically, they allege that (page 19 of bid protest):
  - The prices quoted by Lorraine were extremely low, but its self-serve capabilities solely rely on the use of Travelocity, a service which does not have access to prices for all of the available airlines, as required by the RFP. As such, the proposal could not include all requirements of the proposal. Hence, using Lorraine as a benchmark to evaluate other bidders was not proper.
  - Travelocity is a service that is free to consumers on the internet. Offering access to this free service on the company's website is not cost-effective.

On Oct. 28, 2003, the Hearing Examiner agreed with the County Attorney's office motion that the protest filed by BTA be rejected due to lack of standing.<sup>4</sup>

### **III. POLICY CHANGE AND IMPLICATION**

The County intends to contract with a travel management agency, NTM, to take advantage of on-line technology not available at the time of the existing contract. The on-line system provided by NTM has the ability to scan all available internet and airline website fares, except for Southwest Airlines. In addition to improved speed and efficiency, on-line reservations greatly reduces transaction fees because it is fully automated and allows the employee to book the reservation directly. While the contract does not guarantee that the County will be provided the lowest possible rates, if staff is somehow able to find a cheaper rate, NTM will meet it, provided that the reservation is still available.

---

<sup>4</sup> The County Attorney's motion noted that even if it could show that NTM was not deserving of the award, BTA would not be entitled to the contract because no protest was filed in respect to the second ranked proposer (Travel Management Partners).

**BCC ITEM 7(O)(1)(E) and Supplement**  
**March 16, 2004**

Reservations will still be able to be made directly with an airline or on the Internet, if the rate is lower than through NTM. However, these reservations would not be afforded the convenience, flexibility, and benefits of purchasing through NTM. The core services provided by NTM are listed on handwritten p. 46 of the original item (see attached).

**IV. ECONOMIC IMPACT**

The cost per transaction under the recommended contract is \$15 for a fully-automated transaction (employee books on-line) or \$20 for an agent-booked transaction (employee speaks with agent), which is less than the current contract rate of \$29.50 per transaction. Additional agent-booked transaction fees are triggered in certain instances (including issuance of a paper ticket, upgrades, exchanging tickets, and processing of refunds) (see handwritten pages 44 and 45 of the original item). According to the OSBM, who manages County travel, the County does not intend to utilize the optional services offered. User departments will pay any transaction fees.

At the time of RFP advertisement, the contract was estimated to cost approx. \$300,000 for the initial three year term and was based on actual airline tickets purchased in 2001 and the current negotiated per transaction rate:

$$\begin{aligned} 3,400 \text{ airline tickets} \times \$29.50 \text{ per transaction} &= \$100,300 \\ \text{Total Contract Price (3 years)} &= \$300,900 \end{aligned}$$

At this time, the contract is expected to cost \$200,675 for the initial three year contract term and is broken down as follows:

- One-time Implementation Fee \$3,500
- Per Transaction Fee (fully-automated)  $\$15.00 \times 3,400 \times 50\% = \$25,500$
- Per Transaction Fee (agent-booked)  $\$20.00 \times 3,400 \times 45\% = \$30,600$  (domestic)  
 $\$50.00 \times 3,400 \times 5\% = \$ 8,500$  (international)
- Account Manager Assistance (\$75/hr) \$1,125

Total Contract Price (Year 1) \$ 69,225

Total Contract Price (Year 2) \$ 65,725

Total Contract Price (Year 2) \$ 65,725

Total Contract Price (3 years) \$200,675

Some of this cost will be offset by a soft dollar ticket barter program, which is standard in the travel industry (travel agents attempt to acquire tickets at no charge from airlines, thus reducing costs to their clients). The program provides for up to \$20,000 the first year and \$5,000 for subsequent years in the form of airline tickets for Delta and Northwest Airlines for any County travelers with no restrictions.<sup>5</sup>

---

<sup>5</sup> Under the current contract, the County earned free tickets based upon a certain percentage of the combined total of commission earned and total fees charged to the County. There was no minimum value of free tickets specified to be earned, as the new contract provides.

**BCC ITEM 7(O)(1)(E) and Supplement**  
**March 16, 2004**

No frequent flier miles are accumulated through the travel management agency.

Similar to the soft dollar program in the proposed new contract, the County had a free ticket benefit under the existing program. On any ticket over \$500, the current travel management company automatically requested that the airline comp (i.e. do not charge for) the ticket. The request was *granted by the airline only based on availability*. In instances where the request was not granted, the County banked the value of the tickets for future use.<sup>6</sup>

In addition to the above benefits, the advantages of managed travel include:

- better cost controls and reporting
- the ability to track sales volume in order to negotiate discounted rates
- the ability to get assistance from a travel agent at any time
- the ability to exchange tickets or get refunds at a reduced penalty and less restrictions (versus booking on the Internet).

**V. COMMENTS AND QUESTIONS**

The supplemental report has been amended since it was first before the BCC on Dec. 16, 2003. No changes have been made to the proposed contract award, and the County Manager still recommends award of the contract to NTM.

Before the existing contract with BTA was awarded in 1999, alternatives to using an outside contracted travel agency were explored by the County Manager's office:

- An in-house travel agency with County staff – ruled out due to the costs involved (staff, computers, bonding, operating costs, etc.) and experienced private firms are already in existence
- Utilizing State of Florida contract or Federal rates for air services – ruled out because most State rates were not competitive with market rates and federal rates are only honored for Federal government business
- Use any travel agency and not have a contracted agency – ruled out because the savings and economics of using only one agency could not be realized (e.g. ability to ensure that travel policies and procedures are being followed and that the lowest price tickets are purchased, to generate travel reports and receive special assistance)
- Negotiating directly with major airlines and hotels – ruled out because the lowest airfares would likely be accessible by any travel agency and car rental and lodging reservations may still need to be made; in addition, many hotels are individually-owned and operated, making negotiation more difficult.

The contract allows for the County to terminate the agreement at any time, in its sole discretion, with or without cause.

---

<sup>6</sup> Under the current contract, 552 free tickets were requested, but only 33 were available and granted. As of August 2003, the credit for free tickets was \$55,890. (County Manager's memo dated 1-12-04).

## **LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

### **RESOLUTION APPROVING THE PUBLIC WORKS DEPARTMENT'S AMENDMENT TO THE 2-YEAR PLAN WHICH REINSTATES THE TWO CITY OF MIAMI NE 2ND AVENUE PROJECTS**

Public Works Department

#### **I. SUMMARY**

This resolution seeks approval for the Public Works Department's (PWD) portion of the People's Transportation Plan (PTP) for fiscal years 2003-2004-05 as amended. The amendment reinstates the two City of Miami NE 2<sup>nd</sup> Avenue projects which were removed from the 2-Year plan prior to its submittal to the January 20, 2004 BCC Agenda.

The Citizens' Independent Transportation Trust Approved the attached list of projects at their January 28, 2004 meeting.

#### **II. PRESENT SITUATION**

On November 5, 2002, the Miami-Dade County electorate approved a ½ percent increase in the sales tax to fund the implementation of the People's Transportation Plan. In or around July of 2002, roadway projects were developed by Public Works Department for the enhancement of Miami-Dade County's Transportation formation.

#### **III. POLICY CHANGE AND IMPLICATION**

On July 9, 2002, the Board of County Commissioners approved Ordinance 02-116 to be used for the enhancement of the County's transportation system.

#### **IV. ECONOMIC IMPACT**

The total funding for the 2 year Public Works PTP Plan is estimated at \$86,422 million.

#### **V. COMMENTS AND QUESTIONS**

Critics of County government spending may question the expenditure of large sums of PTP funds on projects that could be considered "maintenance or reoccurring" in nature.

Proponents will argue that these types of programs were always intended in the program as a means to improve and maintain the County's surface transportation infrastructure.

This argument can be either a plus or a minus depending on how well staff does its job of informing the public on the intention and progress of the program

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION AUTHORIZING THE EXECUTION OF TWO TRI-PARTY AGREEMENTS AMONG MIAMI-DADE COUNTY, THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND CSX TRANSPORTATION, INC., FOR THE INSTALLATION OF RAILROAD CROSSING PROTECTIVE DEVICES AT NW NORTH RIVER DRIVE AND NW 22 AVENUE*

Public Works Department

### I. SUMMARY

This resolution recommends the authorization of a Tri-Party Agreement among Miami-Dade County, the State of Florida Department of Transportation and CSX Transportation, Inc. for the installation and maintenance of the railroad crossing protective devices at N.W. 131 North River Drive and NW 22 Avenue.

### II. PRESENT SITUATION

Miami-Dade will participate in the improvement and maintenance of the railroad crossing devices under the Federal 90% and State 10% Matching Funds Program.

The Federal Aid Highway Safety Act established on 1973 and 1976 allocated funds to be utilized for rail-highway grade crossing protective devices at crossings on Non-Federal Aid routes.

Miami-Dade will not participate in the costs of the devices or the installation of the protective devices.

### III. POLICY CHANGE AND IMPLICATION

None.

### IV. ECONOMIC IMPACT

Miami-Dade County will be responsible for an annual maintenance cost by fifty percent of each device. The cost of each protective device is \$2,820.00. Florida East Coast Railway Co., LLC (FEC) will be responsible for the other fifty percent.

### V. COMMENTS AND QUESTIONS

The funding for Miami-Dade's portion will come from the Secondary Gas Tax.

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION AUTHORIZING THE ACQUISITION OF LAND REQUIRED FOR THE CONSTRUCTION OF A NEW PARK AND RIDE FACILITY, LOCATED AT THE SOUTHERN TERMINUS OF THE BUSWAY EXTENSION TO FLORIDA CITY, BETWEEN NORTHWEST 2 STREET AND SOUTHWEST 344 STREET, AND NORTHWEST 2 AVENUE AND NORTHWEST 3 AVENUE, IN FLORIDA CITY PROJECT NO. 663008*

Public Works Department

### I. SUMMARY

This resolution will approve the **Acquisition of Land** required for the construction of a new Park and Ride Facility, located in Florida City.

Authorizes the County Manager to employ appraisers, obtain environmental audits, and acquire the land valued by the appraisals.

### II. PRESENT SITUATION

Currently the Miami-Dade Transit Department has shown interest in acquiring land located at Northwest 2 Street and Southwest 344 Street, Florida City. The Park and Ride Facility will serve passengers in parts of Miami-Dade County and passengers traveling to Monroe County and the lowers Keys. Attached is the legal description of the parcels of land Miami-Dade Transit Department is required to purchase in "Exhibit A" and the project location map in "Exhibit B".

In order for the process for the development of this facility to proceed, the Miami-Dade Transit Department needs to obtain authorization to employ an appraiser, obtain an environmental audit, acquire the land at values established by the appraisals, and if necessary, be prepared to proceed to condemn a resident, a commercial, and a new residence under construction.

The Park and Ride Facility improvements will provide transit riders surface parking, a "Kiss and Ride" drop off area, a passenger wait area, bus bays and a turnaround for buses using the Busway; rest/break facilities for bus driver's, including restrooms and other ancillary improvements standard affiliated to the construction of a Park and Ride Facility.

Staff from the Miami-Dade Transit Department met with the Mayor's staff from Florida City. The Mayor's representative expressed his strong approval of the project. The Miami-Dade Transit Department will proceed to inform the residents of the project location by hosting a town meeting.

### III. POLICY CHANGE AND IMPLICATIONS

Residents in and around the project location will have the opportunity to fully understand the advantages and disadvantage the Park and Ride Facility may bring.

### IV. ECONOMIC IMPACT

At this time, staff indicated there is no economic impact study for the residents in Florida City, Monroe County, and lower keys. *(Update) The acquisition cost is estimated at two million dollars.*

The project should bring a positive impact for the residents of Miami-Dade County, Florida City and the lower Keys.

**The Park and Ride Project is being funded by a Federal Busway grant**

### V. COMMENTS AND QUESTIONS

Staff has indicated that there is at least one home site with another home site under construction and one commercial site on the project land.

Staff stated that representatives from Florida City expressed their strong approval for the project.

Staff will host a town meeting with residents in and around the project land.  
(Update) Staff from Public Works Department (PWD) is discussing several options with the property owner of the new home site under construction. According to staff, the land where the new home site is located may not be vital for the Park and Ride facility.

**By time of printing, Staff did not reply to the following questions:**

During GOE committee, Commissioner Martinez requested that he be provided with the information pertaining to the appraised value and cost estimate of purchasing the subject land.

Chairperson Seijas asked that a report be prepared outlining the following:

1. how was the need for the land determined;
2. what were the findings of the study conducted; and
3. what was the input obtained from citizens; and 4. what was the ridership demand for the subject area.

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION AUTHORIZING EXECUTION OF A COUNTY AIRSPACE LICENSE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND FLORIDA ROCK INDUSTRIES, INC. FOR THE USE OF THE AIRSPACE ABOVE GRADE-LINE OF A PORTION OF THE PUBLIC RIGHT OF WAY OF NW 41ST STREET FOR THE CONSTRUCTION AND OPERATION OF AN ENCLOSED CONVEYOR SYSTEM FOR THE TRANSPORTATION OF LIMEROCK ACROSS SAID NW 41 STREET*

Public Works Department

### I. SUMMARY

This resolution recommends the authorization of a County Airspace License Agreement between Miami-Dade County and Florida Rock Industries, Inc. for the use of a portion of the public right of way of N.W. 41 Street, approximately 100 feet west of N.W. 127 Avenue, for the purpose of constructing and operating an enclosed conveyor system for the transportation of lime rock across N.W. 41 Street.

### II. PRESENT SITUATION

Florida Rock Industries, Inc. currently operates a lime rock mining operation on both sides of (North and South) of N.W. 41 Street. However, their main lime rock processing system is located South of N.W. 41 Street. In the future, Florida Rock Industries, Inc. bulk of mining operations will occur North of N.W. 41 Street. An enclosed conveyor system will be required to transport lime rock materials from the mining operation on the south side to the plant facility on the north side.

*For safety reasons, Florida Rock Industries, Inc., agrees to construct a road crossing for off-highway trucks. Moreover, Florida Rock Industries, Inc. agrees to maintain the areas occupied by the conveyor system in good condition and secured at their sole expense.*

### III. POLICY CHANGE AND IMPLICATION

None.

### IV. ECONOMIC IMPACT

None.

### V. COMMENTS AND QUESTIONS

DERM has no objections to the enclosed conveyor system running North of N.W. 41 Street.



## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION DIRECTING THE COUNTY MANAGER THROUGH THE OFFICE OF COUNTYWIDE HEALTHCARE PLANNING TO DEVELOP THE MIAMI-DADE COUNTY HEALTH FLEX PLAN TO PROVIDE HEALTH CARE COVERAGE FOR UP TO A TOTAL OF 5,000 WORKING UNINSURED RESIDENTS INCLUDING THEIR FAMILIES [SEE ORIGINAL ITEM UNDER FILE NO. 040388]*

*REPORT RE: RESOLUTION DIRECTING THE COUNTY MANAGER TO DEVELOP THE MIAMI-DADE COUNTY HEALTH FLEX PLAN*

Office of Countywide Healthcare and Planning

### I. SUMMARY

This resolution directs the County Manager through the Office of Countywide Healthcare Planning (OCHP) to develop the Miami-Dade County Health Flex Plan<sup>1</sup>. This plan, although initially intended to serve 20,000-30,000, will now serve 5,000 working, uninsured residents including their families. The supplement to this item includes a timeline for the development of the Health Flex Plan, and indicates that enrollment is expected to begin in December 2004.

### II. PRESENT SITUATION

Florida Statute 408.909 enabled the development and implementation of a Health Flex Plan Pilot program in selected counties, including Miami-Dade, throughout Florida. Although originally set to expire July 1, 2004, according to staff the statute has been extended to July 1, 2008. The Mayor's Healthcare Task Force recommended a public/private program to offer affordable healthcare to residents of Miami-Dade County.

### III. POLICY CHANGE AND IMPLICATION

This resolution would require that OCHP develop this Health Flex Plan pilot program for up to 5,000 Miami-Dade County residents. Fulfillment of the above-described task by OCHP includes the following:

- Obtain federal matching funds
- Design the service delivery and eligibility requirements of the program

This plan will not be fully implemented until the final plan design is approved by the Board of County Commissioners (BCC). Further, the plan will not be offered to the public until federal funds have been identified and secured.

---

<sup>1</sup> Amendments to this item at the Economic Development & Human Services committee held on February 11, 2004 excluded language about implementation of the Health Flex Plan program prior to approval of the Board of County Commissioners. Additionally, it excluded language about hiring a consultant and fiscal agent.

Participation in this program minimally requires that participants must<sup>2</sup>:

- Be 64 years of age or younger
- Have family income equal to or less than 200% of the federal poverty level.<sup>3</sup>
- Not be covered by a private insurance policy and not eligible for coverage through a public health insurance program (i.e. Medicaid and Medicare) and not covered for any period of time during the past six months<sup>4</sup>.
- Have applied for health care coverage through the approved health flex plan and have agreed to make any payments required for participation.

#### IV. ECONOMIC IMPACT

According to staff, \$1.3 million dollars (FY03-04) has been allocated to develop and implement this Health Flex Plan. Staff indicates that they anticipate spending \$258,000 during FY03-04, they would like to carry over the remaining sum (\$1,311,810) for implementation during FY04-05 and will require an additional \$269,900 (FY04-05).

#### V. COMMENTS AND QUESTIONS

The *Health Flex Plan Report* compared our proposed plan, which requires an equal \$40 contribution (Employee/Employer/Government) to other existing plans<sup>5</sup>.

The *TrustCare* Program which is administered by the Public Health Trust (PHT) through its JMH Health Flex Plan, currently serves residents living south of Kendall Drive. The *TrustCare* program is currently seeking approval to administer its own Public Health Flex Plan<sup>6</sup>. This proposed flex plan from the PHT would require a 50-75% contribution by PHT toward the premiums<sup>7</sup>.

#### Questions:

- Without a Healthcare consultant and a fiscal agent in the initial stages, will the development of this flex plan prove difficult?
- How will the changes to the structure of the KidCare program affect the implementation and success of this program?

<sup>2</sup> Florida Statute 408.909 (5)(a-d)

<sup>3</sup> The 2003 federal poverty level for a family of four is \$18,400 (Alaska \$23,000 & Hawaii \$21,160).  
<http://aspe.hhs.gov/poverty/03poverty.htm>

<sup>4</sup> The proposed Miami Health Flex Plan requires no coverage for the past (one) year.

<sup>5</sup> Handwritten Page 12. *Health Flex Plan Report* dated January 20, 2004

<sup>6</sup> handwritten Page 2. 8(X)(1)(A) supplement.

<sup>7</sup> Handwritten Page 2. 8(X)(1)(A) supplement.

## LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION DIRECTING COUNTY MANAGER TO INCLUDE IN ANY PROPOSED RESOLUTION OR OTHER REQUEST SUBMITTED TO THE COUNTY COMMISSION FOR APPROVAL OF A CONTRACT, LANGUAGE PROVIDING THAT THE RESOLUTION AND CONTRACT SHALL NOT BECOME EFFECTIVE UNTIL THE TIME FOR MAKING A MOTION TO RECONSIDER HAS EXPIRED AND, IF RECONSIDERED, SHALL BECOME EFFECTIVE ONLY UPON SUBSEQUENT APPROVAL OF THE COMMISSION; PROVIDING TIME LIMITATION; DIRECTING THE COUNTY MANAGER TO INCLUDE LANGUAGE IN CONTRACT SPECIFICATIONS TO LIKE EFFECT; AND PROVIDING A WAIVER*

Commissioner Jose "Pepe" Diaz

### I. SUMMARY

This resolution requires that any proposed legislation to the Board of County Commissioners (BCC) for approval of a contract, once adopted, would be effective only after the time for making a motion to reconsider expires.

### II. PRESENT SITUATION

Currently, a motion to reconsider can be made at the BCC meeting *following the BCC meeting at which the legislation is adopted* (generally two weeks or 14 days). However, the existing language in proposed resolutions, etc. provides that the legislation is effective ten (10) days after the date of its adoption (to allow time for a possible Mayor veto).

### III. POLICY CHANGE AND IMPLICATION

In general, the time before a contract becomes effective will increase by four (4) days, which is not likely to have any effect on contract terms, but allows Commissioners to exercise their authority to request a motion to reconsider.

Because there are unforeseen circumstances that may delay a BCC meeting for a prolonged period of time, this resolution sets a maximum of sixty (60) days after adoption of the resolution. Thus, contracts would be effective after the next BCC meeting (14 days after adoption, in general) or 60 days, which ever comes first. In addition, the County Manager may recommend a waiver for a specific contract, when deemed to be in the best interest of the County.

### IV. ECONOMIC IMPACT

In certain cases, the delaying of a contract (particularly, when the Board does not meet within two weeks or over the summer break) can cost the County money (for example, better pricing terms that will be in effect or greater revenue potential). However, as written, this resolution provides for a waiver by the Manager in cases where it is deemed in the best interest of the County.

**V. COMMENTS AND QUESTIONS**

Should this provision only apply to legislation pertaining to approval of a contract?

A motion to reconsider can only be made by someone in the prevailing party. This resolution makes no change as to the process of a motion to reconsider.

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

***RESOLUTION RELATING TO THE PROPOSED INCORPORATION OF NEW MUNICIPALITIES; REQUIRING CHARTER MANDATED ELECTION TO BE FUNDED FROM COUNTYWIDE REVENUES***

Commissioner Joe A. Martinez

**I. SUMMARY**

This Resolution directs the County Manager to charge the cost of elections of potential Municipalities to the Countywide Budget and if the Municipality is successful in its creation to require the Municipality to reimburse the Countywide Budget.

**II. PRESENT SITUATION**

Elections for areas considering Incorporation are charged to the Elections Department operating budget.

**III. POLICY CHANGE AND IMPLICATION**

This resolution will make new municipalities to reimburse the County for the cost of running their election as a condition of incorporation.

**IV. ECONOMIC IMPACT**

This will reduce the demands on the Elections Department Operating Budget and has the possibility to be reimbursed if the new municipality is approved by voters.

**V. COMMENTS AND QUESTIONS**

None

**LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT**

*RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION, AS AUTHORIZED BY THE PEOPLE'S TRANSPORTATION PLAN EXPEDITE ORDINANCE NO. 03-193 AMENDING SECTIONS 2-8.2.6 AND 2-8.2.7 OF THE CODE OF MIAMI-DADE COUNTY IN APPROVING PEOPLE'S TRANSPORTATION PLAN ACTIVITIES LISTED ON THE ATTACHED SCHEDULE*

County Manager

**I. SUMMARY**

This resolution seeks ratification for actions taken by the County Manager in January of 2004 in conjunction with projects contained in the Peoples' Transportation Plan (PTP).

All PTP projects contained in the County's Transportation Improvement Plan (TIP) are authorized to be processed under the County's Expedite Ordinance once approved by the Citizens' Independent Transportation Trust (CITT).

Six (6) projects are contained in this item to be advertised for proposals by the County Manager.

**II. PRESENT SITUATION**

Miami-Dade County has completed its first year of revenue collection through the Charter County Transportation System Surtax (Surtax). The average estimated annual revenues derived from the Surtax are approximately \$160 million.

On September 23, 2003 the Board of County Commissioners approved the inclusion projects listed under the PTP and TIP within the County's Expedite Ordinance.

**III. POLICY CHANGE AND IMPLICATION**

The County Manager contends that approval of these items will help to expedite various projects associated with the PTP.

**IV. ECONOMIC IMPACT**

The total estimated cost for these 6 projects is \$3 million.

If the projects listed are part of the PTP, they would be eligible for some, or all, of the funding from Surtax revenues.

BCC ITEM 11(A)2  
March 16, 2004

**V. COMMENTS AND QUESTIONS**

*Were any of these projects contained in the Public Works Department's Work Program prior to the passage of the Peoples' Transportation Plan?*

**If so, shouldn't those projects be considered "Maintenance of Effort" and thus not be funded through the Charter County Transportation Surtax.**